

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

E. R., a minor, by and through)
her next friend, D.R.,)
)
Plaintiff,)
)
v.)
REPUBLIC R-III SCHOOL DISTRICT,)
PATRICIA MITHELAVAGE,)
JONI RAGAIN,)
and ROBERT DUNCAN,)
)
Defendants.)

Case No. 11-03228

MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL
THE PETITION FOR APPOINTMENT OF NEXT FRIEND AND
CONSENT OF NEXT FRIEND

COME NOW, Petitioner E.R., a minor, by and through her next friend, D.R., by and through their attorneys of record, Baird, Lightner, Millsap & Harpool, P.C., and pursuant to Federal Rule of Civil Procedure 5.2(d) and Rule 7(b)(1) respectfully move this Court to grant their Motion for Leave to File Documents Under Seal the Petition for Appointment of Next Friend and Consent of Next Friend for the following reasons:

1. The filings contain the name of a minor's guardian, from which the minor's identity can easily be inferred.
2. Federal Rule of Civil Procedure 5.2(d) states that "[t]he court may order that a filing be made under seal without redaction." Fed. R. Civ. P. 5.2(d) (WL 2011).
3. The interest of protecting the minor's identity outweighs any public interest in disclosure.

WHEREFORE, Petitioner, by and through her next friend, respectfully requests this Court to grant her Motion for Leave to File Documents Under Seal the Petition for Appointment

of Next Friend and Consent of Next Friend for the above-stated reasons and for the reasons stated in Petitioner's Suggestions in Support of her Motion for Leave to File Documents Under Seal the Petition for Appointment of Next Friend and Consent of Next Friend, which are hereby incorporated herein by reference, and for such other relief as the Court deems just and proper.

Respectfully submitted,

BAIRD, LIGHTNER, MILLSAP & HARPOOL, P.C.

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